



U.S. Department of Justice  
Office of Information Policy  
Suite 11050  
1425 New York Avenue, NW  
Washington, DC 20530-0001

Telephone: (202) 514-3642

APR 15 2013

Mr. Jason Leopold  
Truthout.org  
[REDACTED]

Re: Appeal No. AP-2013-00424  
Request No. 1197941  
CDT:AEC

Dear Mr. Leopold:

You appealed from the action of the Federal Bureau of Investigation on your request for access to records concerning Andrew Breitbart.

After carefully considering your appeal, I am affirming the FBI's action on your request. The FBI informed you that it could locate no main file records responsive to your request. I have determined that the FBI's action was correct and that it conducted an adequate, reasonable search for responsive records.

Regarding your request for a cross-reference search, please be advised that you need to provide information sufficient to enable the FBI to determine with certainty that any cross-references it locates are identifiable to the subject of your request. This information may include the following:

- 1) the specific circumstances in which the subject of your request had contact with the FBI;
- 2) the date(s) of such contact;
- 3) the location(s) of such contact;
- 4) the full name (first, middle, and last) as well as any prior names or aliases used by the subject of your request;
- 5) Social Security number, date of birth, place of birth, and home address of the subject of your request;
- 6) names of associates of the subject of your request the mention of whom might aid in the identification of responsive records; and
- 7) other references of the subject of your request in media, such as books, articles, websites, etc.

You should provide this information to the FBI directly. Please note that the FBI may not be able to identify responsive cross-references despite the additional information you provide. You may appeal any future adverse determination made by the FBI.

Exhibit B

- 2 -

Please be advised that this Office's decision was made only after a full review of this matter. Your appeal was assigned to an attorney with this Office who thoroughly reviewed and analyzed your appeal, your underlying request, and the actions of the FBI in response to your request.

If you are dissatisfied with my action on your appeal, the Freedom of Information Act permits you to file a lawsuit in federal district court in accordance with 5 U.S.C. § 552(a)(4)(B).

For your information, the Office of Government Information Services (OGIS) offers mediation services to resolve disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. Using OGIS services does not affect your right to pursue litigation. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, Room 2510, 8601 Adelphi Road, College Park, Maryland 20740-6001; e-mail at [ogis@nara.gov](mailto:ogis@nara.gov); telephone at 301-837-1996; toll free at 1-877-684-6448; or facsimile at 301-837-0348.

Sincerely,



Sean R. O'Neill  
Chief  
Administrative Appeals Staff